

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

WILLIAM McNEAL §  
v. § CIVIL ACTION NO. 6:15cv556  
DIRECTOR, TDCJ-CID §

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE  
AND ENTERING FINAL JUDGMENT

The Petitioner William McNeal, proceeding *pro se*, filed this application for the writ of habeas corpus under 28 U.S.C. §2254 complaining of the legality of prison disciplinary action taken against him during his confinement in the Texas Department of Criminal Justice, Correctional Institutions Division. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

McNeal's petition challenged disciplinary cases he received for tampering with a locking mechanism and refusing to obey orders. He did not lose any good time as a result of these cases and states that he is not eligible for release on mandatory supervision.

After review of the pleadings, the magistrate judge issued a report recommending that McNeal's petition be dismissed because McNeal failed to show the deprivation of a constitutionally protected liberty interest, as set out in *Sandin v. Conner*, 115 S.Ct. 2293, 2301 (1995). In his objections, McNeal states that the only relief he is requesting is that the cases be overturned and removed from his files, because he knows these cases cannot get him released and were minor in any event. These objections confirm the magistrate judge's conclusion that no liberty interest was implicated by these disciplinary cases. With no liberty interest violation, there can be no grant of

habeas relief. *Teague v. Quarterman*, 482 F.3d 769, 773 (5th Cir. 2007); *Richardson v. Joslin*, 501 F.3d 415, 419 (5th Cir. 2007).

The Court has conducted a careful *de novo* review of the pleadings in the cause, the report of the magistrate judge, and the Petitioner's objections thereto. Upon such *de novo* review, the Court has concluded that the report of the magistrate judge is correct and that the Petitioner's objections are without merit. It is accordingly


**ORDERED** that the Petitioner's objections are overruled and the report of the magistrate judge (docket no. 6) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that the above-styled application for the writ of habeas corpus be and hereby is **DISMISSED WITH PREJUDICE**. It is further

**ORDERED** that the Petitioner William McNeal is **DENIED** a certificate of appealability *sua sponte*. Finally, it is

**ORDERED** that any and all motions which may be pending in this action are hereby **DENIED**.

**SIGNED this 6th day of November, 2015.**

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE